

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 15, 2008**

DIVISION ONE

B195244      Burke      (Not for Publication)  
v.  
City of Santa Monica, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.  
Jackson, J. (Assigned)

B185673 City of Los Angeles  
B188182 v.  
2000 Jeep Cherokee

Filed order granting petition for rehearing.

DIVISION TWO

B190205 People (Not for Publication)  
B194024 v.  
Nichols and Fuller

Fuller's judgment is affirmed. Nichols's judgment is modified to strike the section 1202.45 parole revocation restitution fine of \$10,000, and as modified, that judgment is affirmed. Upon receipt of the remittitur, the superior court shall prepare an amended abstract of judgment for Nichols reflecting the modification in the judgment. The superior court shall also correct Fuller's abstract of judgment to indicate that it had imposed a 12 year term for the assault in count 4 and that the total determinate term is 16 years eight months. The superior court shall send the amended abstracts of judgment to the Department of Corrections and Rehabilitation.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B194344      Sinolinding      (Not for Publication)  
v.  
United Staffing Solutions, Inc.

The petition for writ of mandate is granted. The orders sustaining the demurrers without leave to amend are reversed and the matters are remanded. Appellants to recover their costs.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

DIVISION TWO (continued)

B194325      Disner      (Not for Publication)

v.

Manatt, Phelps & Phillips, LLP

The appeal is dismissed. Appellant to bear all costs on appeal.

Boren, P.J.

We concur:    Doi Todd, J.  
                  Chavez, J.

B191526      People      (Not for Publication)

v.

Baber

The judgment is modified to impose a court security fee for each conviction. As modified the judgment is affirmed. The trial court is directed to modify the abstract of judgment to reflect a total of two \$20 fees pursuant to section 1465.8.

Chavez, J.

We concur:    Doi Todd, Acting P.J.  
                  Ashmann-Gerst, J.

B181094      People      (Not for Publication)

v.

Pena and Soto

The judgments are affirmed.

Chavez, J.

We concur:    Doi Todd, Acting P.J.  
                  Ashmann-Gerst, J.

January 15, 2008 (Continued)

DIVISION TWO (continued)

B199642      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Beatriz T.

The juvenile court's order sustaining the dependency petition is affirmed.

Doi Todd, Acting P.J.

We concur:    Ashmann-Gerst, J.  
Chavez, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B196866 People v. Flennory  
B203863 Maria G. v. S.C.L.A.

Argument waived, cause submitted.

B183480      Harman  
v.  
California Federal Bank

Merits:

Argued by Jonathan Winters for appellant and by Michael J. Niborski for respondent. Cause submitted.

DIVISION THREE (continued)

B189274     Moore  
              v.  
              Raymond Johnson, et al.

Merits:

Argued by Gloria D. Haney for appellant and by Martin Stein and Daniel P. Barer for respondents. Cause submitted.

B193849     Pierce & Weiss, LLP, et al.  
              v.  
              Bauer

Merits:

Argued by Christopher R. Clark for appellants and by Robert A. Lytle for respondent. Cause submitted.

B194545     Los Angeles County, D.C.S.  
              v.  
              Fausto G.

Appearances:

Liana Serobian, deputy county counsel appears for respondent. No appearance by counsel for appellant. Argument waived, cause submitted.

B200777     So. California Regional Rail Authority, et al.  
              v.  
              Tutino, et al.

Merits:

Argued by William G. Ballaine for petitioners and by Jerry Ringler for real parties in interest. Cause submitted.

Court recessed.

DIVISION THREE (continued)

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B195793 People v. Majano

B200294 Children and Family Services v. Shaunee S.

Argument waived, cause submitted.

B200959      Employer's Reinsurance Company, et al.  
                         v.  
                         Superior Court, Los Angeles County  
                         (Thorpe Insulation Company, et al., r.p.i.)

Merits:

Argued by Barry Ostrager for petitioners and by Michel Horton for real parties in interest. Cause submitted.

B202929      Fabian P.  
                         v.  
                         Superior Court, Los Angeles County  
                         (Children and Family Services, r.p.i.)

Appearances:

Fabian P., appears in propria persona. Frank J. DaVanzo, deputy county counsel appears for real party in interest. Matter continued to the March calendar.

DIVISION THREE (continued)

B197316     Thomas  
              v.  
              Coffman, et al.

Merits:

Argued by Kathleen Keene for appellant and by Donald R. Hall for respondents. Cause submitted.

B196118     Fink  
              v.  
              Moreno, Becerra & Guerrero

Merits:

Argued by David Fink, appellant in propria persona and by Gary J. Lorch for respondent. Cause submitted.

B191050     Tual  
              v.  
              Blake

Merits:

Argued by M. Gerald Schwartzbach for appellant and by Eric Jeffrey Dubin for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

B196555      Ayala      (Not for Publication)  
v.  
California Department of Corrections and Rehabilitation

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Suzukawa, J.

DIVISION SIX

B199817 Child Protective Services (Not for Publication)  
v.  
Michelle D.  
In re Justus D.

The judgment (order terminating parental rights) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

## DIVISION SEVEN

B197400 People (Not for Publication)  
v.  
Parks

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

DIVISION SEVEN (continued)

B199631      Jason Puerto      (Certified for Publication)

v.

Superior Court, Los Angeles County  
(Wild Oats Market, Inc., r.p.i.)

Let a peremptory writ of mandate issue directing the superior court to vacate its order allowing disclosure and contact only if the witness consents, and to enter a new order directing the disclosure of contact information for the individuals identified in response to Form Interrogatory No. 12.1. This order is without prejudice to petitioners seeking a further response to the Form Interrogatory that includes only those persons Wild Oats believes to have percipient knowledge. The order to show cause, having served its purpose, is discharged. Upon finality of this opinion, the stay of further proceedings in the superior court is vacated. Petitioners shall recover their costs pursuant to California Rules of Court, rule 8.490(m)(1).

Zelon, J.

We concur:   Perluss, P.J.  
                  Woods, J.

B197518      People      (Not for Publication)

v.

Lopez

The judgment is affirmed.

Zelon, J.

We concur:   Perluss, P.J.  
                  Wiley, J. (Assigned)

## DIVISION SEVEN (continued)

B190702      Hagnazarzadeh      (Not for Publication)  
v.  
Goldstein

The judgment is reversed and the cause is remanded to the trial court with directions to vacate the order granting Goldstein's motion for summary adjudication and judgment and enter a new order denying summary adjudication and judgment. Hagnazarzadeh is entitled to his costs of appeal.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B193394 Subcrete Construction, Inc.  
v.  
Mehrabian

Filed order denying petition for rehearing.

## DIVISION EIGHT

B188613      People      (Certified for Publication)  
v.  
Imran Q.,  
In re Imran Q., a Person Comind Under the Juvenile Court Law.

The restitution order of December 28, 2005, is reversed and the matter is remanded to the trial court to recalculate attorney's fees and costs for which appellant must provide restitution.

Rubin, J.

We concur:    Cooper, P.J.  
                         Flier, J.

DIVISION EIGHT (continued)

B197648      Los Angeles County, D.C.S.      (Not for Publication)

v.

Beatriz S.,

In re Crystal S. et al., Persons Coming Under the Juvenile Court Law.

The orders denying section 388 petition and severing mother's parental rights are affirmed.

Flier, J.

We concur:    Cooper, P.J.

                  Egerton, J. (Assigned)

B195363      People

v.

Villa

Filed order denying petition for rehearing.

B188718      Village Northridge Homeowners Assoc. (Certified for Publication

v.

State Farm Fire and Casualty Company,

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)